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12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 ROBERT ELIASON, an individual and in his
official capacity as Constable of North Las
15 Vegas Township,

16 Plaintiff,

17 v.

18 CLARK COUNTY, a political subdivision of
the State of Nevada; STATE OF NEVADA ex
19 rel NEVADA COMMISSION ON PEACE
OFFICER STANDARDS & TRAINING, a
regulatory agency of the State of Nevada,

20 Defendants.

Case No.: 2:17-cv-03017-JAD-CWH

**STIPULATION AND ORDER
EXTENDING
TIME TO COMPLETE DISCOVERY
(First Request)**

21 Pursuant to LR IA 6-1 and LR 26-4, Plaintiff ROBERT ELIASON, Defendant CLARK
22 COUNTY and Defendant STATE OF NEVADA ex rel. NEVADA COMMISSION ON
23 PEACE OFFICER STANDARDS & TRAINING (collectively, “the Parties”), for good cause
24 shown, hereby stipulate and agree to extend discovery deadlines in this matter by 90 days.
25 This is the Parties’ first request.

I. GOOD CAUSE SUPPORTS AN EXTENSION

Rule 6(b)(1) of the Federal Rules of Civil Procedure and LR 26-4 permit the Court to extend discovery deadlines “for good cause.” To determine “good cause,” the court “primarily considers the diligence of the party or parties seeking the extension.” *Liguori v. Hansen*, 2012 U.S. Dist. LEXIS 30076 at 20, 2:11-cv-00492 (D. Nev. March 6, 2012), *citing Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

1. This request is made well before 21-days before the expiration of the relevant discovery deadlines.

2. As shown below, the Parties have diligently pursued discovery.

3. As shown below, information disclosed pursuant to this diligent discovery necessitates the need to adjust deadlines in this case.

4. No party will be prejudiced by an extension of the deadlines in this case.

II. DISCOVERY COMPLETED TO DATE

To date, the Parties have engaged in the following discovery:

- Initial Disclosures from Plaintiff and Defendant County--January 30, 2018.
- Initial Disclosures from Defendant NV POST--February 15, 2018.
- Plaintiff’s First Set of Requests for Production of Documents to Defendant County—February 23, 2018.
 - Defendant County’s Responses--April 18, 2018
- Defendant County’s First Set of Requests for Production of Documents and Interrogatories to Plaintiff—March 6, 2018.
 - Plaintiff’s Responses--April 23, 2018.
- Plaintiff’s First Set of Requests for Production of Documents to Defendant NV POST—March 30, 2018.
 - Defendant NV POST’s Responses--May 3, 2018.
- The Parties are negotiating a Stipulated Protective Order to protect confidential information.

III. DISCOVERY TO BE COMPLETED

Depositions of the principals and percipient witnesses remain, and Plaintiff anticipates a second round of document production requests.

In addition, the Parties are exploring some alternative procedural mechanisms, like bifurcation or competing summary judgment/declaratory judgment motions that may significantly narrow the issues for trial or even eliminate the need for trial altogether.

IV. PROPOSED SCHEDULE FOR COMPLETING ALL DISCOVERY

Motion to Amend Pleadings and Add Parties

Current: May 8, 2018

Proposed: **The Parties do not request an extension of this deadline.**

Close of Discovery

Current: August 6, 2018

Proposed: **November 5, 2018**

Fed. R. Civ. P. 26(a)(2) Expert Disclosures

Current: June 7, 2018

Proposed: **September 5, 2018**

Rebuttal Expert Disclosures

Current: July 6, 2018

Proposed: **October 4, 2018**

Dispositive Motions

Current: September 5, 2018

Proposed: **December 4, 2018**

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1 **V. CONCLUSION**

2 For the foregoing reasons, the Parties respectfully request that the Court grant their request
3 to continue the discovery deadlines detailed herein.

4 Respectfully submitted by:

5 DATED this _____ day of _____, 2018.

6 EVANS FEARS & SCHUTTERT| LLP

7 /s/ Chad R. Fears

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ex rel. Nevada Commission on Peace
Officers Standards and Training*

19 **ORDER**

20 IT IS SO ORDERED.

21 
22 UNITED STATES MAGISTRATE JUDGE

23 DATED: May 22, 2018